

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

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3 In the Matter of)

4 Mirage Resorts, Inc.)

5 Atlantic City Showboat, Inc.)

6 Marina Associates)

7 David Jonas)

8 Herbert Wolfe)

9 Gormley for Senate Primary Election Fund)

10 and Alan C. Staller, as treasurer)

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GENERAL COUNSEL'S REPORT #5

13 **I. ACTIONS RECOMMENDED:**

14 Accept the attached conciliation agreements with Mirage Resorts, Inc; Atlantic
 15 City Showboat, Inc., Marina Associates, David Jonas and Herbert Wolfe; and the
 16 Gormley for Senate Primary Election Fund and Alan C Staller, as treasurer; take no
 17 further action against Punam Mathur and send her an admonishment letter; take no
 18 further action against Harrah's Entertainment, Inc.; and close the file as to all the
 19 respondents in this matter.

20 **II. BACKGROUND**

21 Attached are three conciliation agreements

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25 In this matter, the Commission found reason to believe that Mirage Casino

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MUR 5020

SENSITIVE

¹ See Attachments 1, 2, and 3 No civil penalty checks have been received

1 Resorts, Inc. ("Mirage")¹ and Punam Mathur, its former director of Government and
2 Community Relations, violated 2 U.S.C. § 441b(a) by facilitating, and consenting to the
3 facilitation, respectively, of \$28,000 in corporate contributions to the Gormley for Senate
4 Primary Election Fund ("Gormley Committee"), William L. Gormley's principal
5 authorized committee for his unsuccessful Senate primary race in New Jersey in 2000.

6 The facilitation occurred in connection with a Mirage fundraiser for Mr. Gormley held in
7 Las Vegas.²

8 The Commission also found reason to believe that Harrah's Entertainment, Inc.
9 ("Harrah's"), Atlantic City Showboat, Inc. ("Showboat"), and Marina Associates
10 ("Marina") violated 2 U.S.C. § 441b(a) by facilitating, and executives David Jonas and
11 Herbert Wolfe violated 2 U.S.C. § 441b(a) by consenting to the facilitation of, \$36,275 in
12 corporate contributions to the Gormley Committee. Finally, the Commission found
13 reason to believe that the Gormley Committee violated 2 U.S.C. § 441b(a) by knowingly
14 accepting the facilitated contributions; violated 2 U.S.C. §§ 434(b) and 441a(f) in
15 connection with an unreported excessive contribution in the form of a plane ticket to the
16 Las Vegas event purchased for the candidate by a friend and contributor who had already
17 contributed the maximum allowable amount to Gormley's campaign, and violated
18 2 U.S.C. § 434(b) by failing to report an in-kind contribution from the candidate, who
19 personally paid for his hotel room in Las Vegas.

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¹ The reason to believe finding in this matter and provisions in the conciliation agreement approved by the Commission mistakenly named Mirage Casino Resorts, Inc , instead of Mirage Resorts, Inc ("Mirage") Except for the recitation of the reason to believe findings, the respondent's correct name appears in the conciliation agreement

² Two of the respondents have provided only modest tolling that expires on March 9, 2005, the Harrah's respondents have provided tolling expiring in May.

1 **II. DISCUSSION**

2 **A. The Mirage Conciliation Agreement**

3 On November 18, 2004, the Commission determined to enter into pre-probable
4 cause conciliation with Mirage and approved a conciliation agreement

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25 We recommend that the Commission accept the attached conciliation agreement at

26 Attachment 1, take no further action against Punam Mathur and send her an

27 admonishment letter.

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B. The Showboat/Marina/Jonas/Wolfe Conciliation Agreement

2025.03.24.14.37.13

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Accordingly, this Office

13 recommends that the Commission accept the conciliation agreement at Attachment 2 with

14 Atlantic City Showboat, Inc, Marina Associates, David Jonas and Herbert Wolfe, and

15 take no further action against Harrah's Entertainment, Inc

16 **C. The Gormley Committee Conciliation Agreement**

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CS-04-010-0001

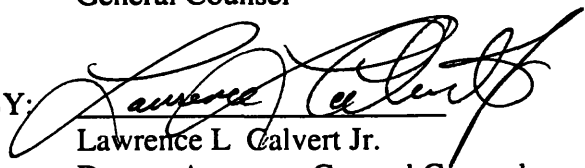
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3 **III. RECOMMENDATIONS**

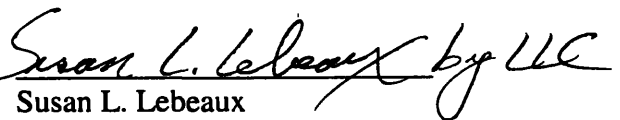
- 4 1. Accept the attached conciliation agreement with Mirage Resorts, Inc.,
5 containing a provision agreed to by Punam Mathur, and close the file as to
6 Mirage Resorts, Inc. and Mirage Casino Resorts, Inc.
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8 2. Accept the attached conciliation agreement with Atlantic City Showboat, Inc.,
9 Marina Associates, David Jonas and Herbert Wolfe, take no further action
10 against Harrah's Entertainment, Inc. and close the file as to all these
11 respondents.
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13 3. Accept the attached conciliation agreement with Gormley for Senate Primary
14 Election Fund and Alan C. Staller, as treasurer, and close the file as to them.
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16 4. Take no further action against Punam Mathur, send an admonishment letter,
17 and close the file as to her.
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19 5. Close the file in MUR 5020.
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21 6. Approve the appropriate letters.
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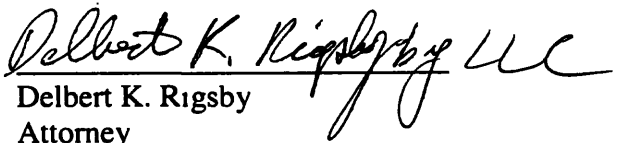
23 Lawrence H. Norton
24 General Counsel
25

26 2/3/05
27 Date

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35 
36 Delbert K. Rigsby
37 Attorney
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1 **Attachments**

- 2 1. **Conciliation Agreement with Mirage Resorts, Inc.**
3 2. **Conciliation Agreement with Atlantic City Showboat, Inc., Marina Associates,**
4 **David Jonas and Herbert Wolfe.**
5 3. **Conciliation Agreement with Gormley for Senate Primary Election Fund and**
6 **Alan C. Staller, as treasurer.**
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